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## **An Act To Modernize and Reduce the Cost of Driver Education**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 29-A MRSA §1354, sub-§1, ¶B-1** is enacted to read:

B-1. "Communications technology" means any method or component, or both, that is used for driver education by a driver education school to carry out or facilitate the transmission of information and reception of information by computer data networks, including, but not limited to, the Internet or its successor and intranet services.

**Sec. 2. 29-A MRSA §1354, sub-§3**, as amended by PL 1997, c. 776, §39, is further amended to read:

**3. Driver education school license requirements.** With assistance from the Technical Review Panel established in subsection 6, the Secretary of State shall adopt rules governing the curriculum, facilities, and operations, including record-keeping requirements and issuance and renewal of licenses, for noncommercial driver education schools and commercial driver education schools and for driver education teachers and instructors. These rules must allow that the portion of a course of training provided by a driver education school that would consist of classroom instruction may be taught interactively through the use of communications technology so that persons taking the course need not be physically present in a classroom.

A. The Secretary of State may not issue a license for a driver education school until the applicant has filed with the Secretary of State a certificate showing that the applicant is covered by an automobile bodily injury and property damage liability insurance policy insuring against any legal liability in accordance with the terms of the policy for personal injury or death of any one person in the sum of \$100,000 and for any number of persons in the sum of \$300,000 and against property damage in the sum of \$100,000 arising from the operation of any vehicle being used in a commercial driver education school. In lieu of that insurance, the applicant may file with the Secretary of State a bond or bonds issued by a surety company authorized to do business in the State in the amount of at least \$100,000 on account of injury to or death of one person and subject to such limits as respects injury to or death of one person, of at least \$300,000 on account of any one accident resulting in injury to or death of more than one person and of at least \$100,000 for damage to property of others. Failure to comply with this subsection is grounds for suspension or revocation of a driver education school license.

B. A vehicle used as a training vehicle must be maintained in safe mechanical condition at all times. Each vehicle must be equipped with dual-control foot brakes and, if the vehicle is not equipped with an automatic transmission, dual-control clutch pedals. While being used in actual instruction, a vehicle must be equipped with an identification sign listing the name of the school and a student driver sign.

The following vehicles are not required to have dual controls and an identification sign listing the name of the school and a student driver sign:

- (1) A vehicle that is being used to instruct a person with a disability and is specially equipped for use by a person with a disability; and
- (2) A vehicle that is being used to instruct a person in possession of a valid Maine driver's license or instruction permit when the vehicle is not provided by the driver education school.

**Sec. 3. Secretary of State directed to amend rules governing driver education.**

Before July 1, 2012, the Secretary of State shall amend rules authorized by the Maine Revised Statutes, Title 29-A, section 153 and section 1354, subsection 3 governing minimum qualifications, standards and procedures for the licensure of driver education schools to permit the use of communications technology for driver education instruction.

**Sec. 4. Effective date.** Those sections of this Act that amend the Maine Revised Statutes, Title 29-A, section 1354 take effect July 1, 2012.

## SUMMARY

This bill provides that classroom instruction provided by a driver education school licensed in this State may be taught interactively through the use of communications technology, including the Internet, so that persons taking the classroom portion of the driver education requirement need not be physically present in a classroom. The effective date for this change in law is July 1, 2012. This bill does not alter current requirements in rule for behind-the-wheel instruction.

This bill directs the Secretary of State, before July 1, 2012, to amend current rules governing the licensure of driver education schools to permit the use of communications technology for driver education instruction.